

**SUPPORTING STATEMENT
CERTIFICATE OF ORIGIN
1651-0016**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

CBP Form 3229, Certificate of Origin, is used by shippers to declare that goods being imported into the United States are produced or manufactured in a U.S. insular possession from materials grown, produced or manufactured in such possession, and to list the foreign materials included in the goods, including their description and value. CBP Form 3229 is used as documentation for goods entitled to enter the U.S. free of duty. This form is authorized by General Note 3(a) (iv) of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202) and is provided for by 19 CFR Part 7.3. CBP Form 3229 is accessible at http://forms.cbp.gov/pdf/CBP_Form_3229.pdf

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

CBP Form 3229 helps CBP determine whether or not imported merchandise is exempt from duty under the applicable statutory provisions.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

This document is currently submitted on paper. However CBP is considering various revisions to the submission procedures which may result in CBP Form 3229 becoming a record keeping requirement in which respondents keep it in their files in case they are audited by CBP auditors, or it is possible that CBP may discontinue this form. All of these options are under consideration. However the submission procedures cannot be revised without a regulatory change. Therefore, automation plans for this form are on hold.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

The information collection is unique and is not duplicated elsewhere.

5. If the collection of information impacts small businesses or other small entities describe any methods used to minimize burden.

This collection of information does not have a significant impact on small businesses or other entities.

6. Describe consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If this information were not collected, CBP would have no means of verifying the claim for duty free treatment under the applicable statutory provisions.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(c)(2).

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB.

Public comments were solicited through two Federal Register notices including a 60-day notice published on April 6, 2011 (Volume 76, Page 19119) on which one comment was received, and a 30-day notice published on August 11, 2011 (Volume 76, Page 49782) on which no comments have been received.

Comments were submitted by Joseph Donohue of Donohue and Donohue suggesting that Form 3229 be modified to eliminate the requirement for a CBP officer's signature, and to allow for a 12-month blanket period rather than requiring a separate form for each shipment.

Mr. Donohue states that his suggestions would make the process of filing Form 3229 more consistent with the processes associated with some other trade programs, which allow filing for blanket periods instead of on a shipment-by-shipment basis.

CBP concurs with these comments to the extent that we agree that the process should be revised to eliminate the need to submit a 3229 for every applicable shipment. However, we have not yet determined the best way to revise this process, or whether use of the blanket period is the best method for this program. We also have to determine the legality of the various alternatives of revising the 3229 process.

It will take several years to revise the 3229 process because it will require an NPRM and a Final Rule. Currently the CBP regulations (19 CFR 7.3) require that a 3229 be filed with each shipment and also require a signature of a CBP officer. These changes cannot be made by simply revising the Form 3229. CBP has initiated a regulatory project to revise 19 CFR 7.3.

The issues stated above were discussed with Mr. Donohue telephonically.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There is no offer of a monetary or material value for this declaration.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

A SORN for the Automated Commercial System, dated December 19, 2008 (Vol. 73, Page 77759), will be included in this ICR.

11. Provide additional justification for any questions of a sensitive nature

There are no questions of a personal or sensitive nature on this declaration.

12. Provide estimates of the hour burden of the collection of information.

TOTAL ANNUAL BURDEN HOURS	NO. OF RESPONDENTS	NO. OF RESPONSES PER RESPONDENT	TOTAL RESPONSES	TIME PER RESPONSE
814	113	20	2,260	22 minutes (.36 hours)

Public Cost

The estimated cost to the respondents is estimated at \$16,280. This is based on the estimated burden hours (814) multiplied (x) the average hourly rate (\$20.00).

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no capital or start-up costs associated with this information collection.

14. Provide estimates of annualized cost to the Federal Government.

The estimated annual cost to the Federal Government associated with the review of these records is **\$15,750**. This is based on the number of responses (2,260) that must be reviewed (x) the time to review and process each response (.166 hours) = 375 hours (x) the average hourly rate (\$42.00) = \$15,750.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of this Statement.

The number of responses was increased from 310 to 2,260, and burden hours were increased from 310 to 814 as a result of a recent data query conducted by CBP. Therefore, the changes are a result of revised estimates by CBP. There are no changes to this program or to the information collected.

16. For collection of information whose results will be published, outline plans for tabulation, and publication.

This information will not be published for statistical purposes.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

CBP will display the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement identified in Item

CBP does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods

No statistical methods were employed.